

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 13, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JARED ANTHONY WINTERER,

Plaintiff,

v.

UNITED STATES,

Defendant.

No. 2:25-CV-00008-SAB

**ORDER DENYING MOTION FOR
RECONSIDERATION AND
DISMISSING ACTION**

By Order filed February 10, 2025, the Court instructed Plaintiff Jared Anthony Winterer, an individual currently incarcerated at the Washington Corrections Center in Shelton, Washington, to comply with the *in forma pauperis* requirements of 28 U.S.C. § 1915(a)(1) and (2). ECF No. 3. Specifically, the Court instructed Plaintiff to submit a completed *in forma pauperis* application and a certified statement of his inmate account for the six months immediately preceding the filing of his complaint on January 9, 2025. *Id.* Plaintiff did not comply.

Instead, Plaintiff filed a Motion for Reconsideration to which he attached a Petition for Writ of Mandamus form designated for the U.S. Supreme Court. ECF No. 4. Plaintiff is advised that if he wishes to file a document with the U.S. Supreme Court, then he will need to mail his document to that Court. This Court will not consider a document designated for another Court.

In his single page Motion for Reconsideration, Plaintiff lists cases in which he has been granted leave to proceed *in forma pauperis*. ECF No. 4 at 1. A prior

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1 grant of *in forma pauperis* status, however, does not automatically entitle a litigant
2 to proceed *in forma pauperis* in every subsequent case filed. Each case has its own
3 filing fee and any request to proceed without prepayment of that fee will be
4 assessed in that case.

5 Plaintiff states he included his “motion for leave to proceed In Forma
6 Pauperis.” ECF No. 4 at 1. Plaintiff, however, did not submit the completed form
7 Declaration and Application to Proceed *In Forma Pauperis* provided to him on
8 February 10, 2025. ECF No. 3-1. He has also failed to submit a certified statement
9 of his account as previously directed. ECF No. 3.

10 The Court finds no basis in Plaintiff’s submissions warranting
11 reconsideration of the Order directing him to comply with the filing fee or *in forma*
12 *pauperis* requirements for this action. *See Sch. Dist. No. 1J v. ACandS, Inc.*, 5 F.3d
13 1255, 1262–63 (9th Cir. 1993). Plaintiff has not presented newly discovered
14 evidence. *Id.* at 1263. He has not shown that the Court committed clear error or
15 that the prior Order was manifestly unjust. *Id.* There has been no intervening
16 change in controlling law and there are no other circumstances warranting
17 reconsideration. *Id.* Therefore, reconsideration is denied.

18 Although granted the opportunity to do so, Plaintiff did not provide the
19 documentation necessary to proceed *in forma pauperis* and he did not pay the
20 filing fee. Therefore, the Court dismisses this action for non-payment of the filing
21 fee.

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Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion for Reconsideration, **ECF No. 4**, is **DENIED**.

2. This action is **DISMISSED WITHOUT PREJUDICE** for non-payment of the filing fee as required by 28 U.S.C. § 1914.

3. The Clerk of Court shall **CLOSE** the file.

4. The Court certifies that any appeal of this dismissal would not be taken in good faith.

IT IS SO ORDERED. The Clerk of Court is directed to enter this Order, enter judgment, and provide copies to Plaintiff.

DATED this 13th day of March 2025.



Stanley A. Bastian

Stanley A. Bastian
Chief United States District Judge